

REMARKS

By the present supplemental amendment, Applicant has cancelled Claims 1-9, and added Claims 13-21, which correspond directly to Claims 1-9, as set forth in the previous amendment. Claims 11-21 remain pending in the present application. Claims 11-13 are independent claims.

By this amendment, Applicant submits that all arguments set forth in the previous response filed February 14, 2005, are herein incorporated by reference, and repeated hereafter.

The indication by the Examiner that Claim 10, and apparently Claim 5, if rewritten in independent form including all of the limitations of the base claim, would be allowable over the prior art of record. Claims 1 and 5 has been so rewritten as newly presented independent Claim 12. Likewise, 10 has been so rewritten as newly presented independent Claim 11.

In the recent Office Action dated November 27, 2004 the Examiner rejected Claims 1, 3, 7, and 8 under 35 U.S.C. § 102(b) as being anticipated by Williams (USPN 733,448). Claims 1, 3, 7, and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Heinzeroth et al. (USPN 6,604,488). Claims 1, 3, 7, 8, and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Elliott (USPN 6,606,962). Claims 2, 4, 6, and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Heinzeroth et al., or Heinzeroth et al. in view of one or more of Daifotes (USPN 4,572,108), Markey et al.

(USPN 5,551,371), and Marshall et al. (USPN 5,272,832). These rejections are respectfully traversed.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The applied prior art reference to Williams discloses a poultry feeding trough having a container with a hinged cover, and is permanently secured to a supporting structure. Williams does not show the removable hinge pin, and that the container is removably mounted on a supporting structure (namely, a livestock fence), as recited in new presented independent Claim 13. Therefore, Applicant respectfully submits that the applied prior art reference to Williams does not anticipate new Claims 13, 15, 19, and 20. Applicant respectfully requests the withdrawal of this particular ground of rejection.

The applied prior art reference to Elliott discloses a horse feeding device having a V-shaped container with a hinged cover, and is permanently secured to a supporting structure. Elliott does not show the removable hinge pin, as recited in newly presented independent Claim 13. Therefore, Applicant respectfully submits that the applied prior art reference to Elliott does not anticipate newly presented Claims 13, 15, 19, and 20. Applicant respectfully requests the withdrawal of this particular grounds of rejection.

The applied prior art reference to Heinzeroth et al. discloses a wildlife feeding device having a container with a hinged cover, and is permanently secured to a supporting structure. Heinzeroth et al. does not show the removable hinge pin, and that the container is

removably mounted on a supporting structure (namely, a livestock fence), as recited in newly presented independent Claim 13. Therefore, Applicant respectfully submits that the applied prior art reference to Heinzeroth et al. does not anticipate newly presented Claims 13, 15, 19, and 20. Applicant respectfully requests the withdrawal of this particular grounds of rejection.

Further, with respect to myriad of rejections under 35 U.S.C. § 103(a), that Claims 2, 4, 6, and 9 being unpatentable over Heinzeroth et al. in view of one or more of Daifotes, Markey et al., and Marshall et al., Applicant submits that the Heinzeroth et al. does not meet all of the basic limitations of newly presented independent Claim 13, and consequently, Heinzeroth et al. further lacks each of the limitations as recited in newly presented dependent Claims 14, 16, 18, and 21. None of the secondary applied prior art references to Daifotes, Markey et al., and Marshall et al., when combined with Heinzeroth et al., as alleged by the Examiner, satisfies each of the respective limitations of newly presented dependent Claims 14, 16, 18, and 21. Therefore, there is no guidance or motivation found in any of the applied prior art references that would have led one having ordinary skill in the art to arrive at the claimed embodiments of the instant case. Applicant respectfully requests that these rejections be withdrawn, and a Notice to that effect is earnestly solicited.

Applicant has amended the claims of this case to more particularly define Applicant's unique construction in view of the prior art of record. Applicant has also present arguments as to why each of the applied grounds of rejection are without foundation. Applicant respectfully submits that for at least these reasons Claims 11, and 12, along with

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newly presented Claims 13-21, which directly correspond to now canceled Claims 1-9, are allowable over the prior art applied of record. Reconsideration of the claims in light of the amendments and for the foregoing reasons is respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard C. Litman", with a long horizontal flourish extending to the right.

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